

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

In re: GUIDANT CORP. IMPLANTABLE  
DEFIBRILLATORS PRODUCTS  
LIABILITY LITIGATION

MDL No. 05-1708 (DWF/AJB)

This Document Relates to ALL ACTIONS

**ORDER**

**MDL BRIEFING SCHEDULE FOR MOTIONS TO DISMISS**  
**(DOCKET NUMBERS 253 & 392)**

The Court finds that the parties have met and conferred with regard to a briefing schedule. Based upon the presentations of the parties and the Court being otherwise duly advised in the premises, **IT IS ORDERED** that the following dates regarding the MDL Briefing Schedule be conducted in accordance with the following rules, absent further order of the Court:

1. September 8, 2006 – Plaintiffs’ Opposition to Defendants’ Motion to Dismiss Master Complaint Claims of Device Recipient Plaintiffs served;
2. September 29, 2006 – Defendants’ Reply to Plaintiffs’ Opposition to Defendants’ Motion to Dismiss Master Complaint Claims of Device Recipient Plaintiffs served;
3. August 4, 2006 – Defendants’ Rule 26 expert reports regarding preemption served;
4. August 25, 2006 – Plaintiffs’ Rule 26 expert reports regarding preemption served;
5. September 5, 2006 – Defendants’ rebuttal expert reports regarding preemption served;
6. September 14, 2006 – Deposition of Defendants’ preemption experts finished;

7. September 29, 2006 – Plaintiffs’ Preemption Opposition Brief served;
8. October 12, 2006 – Depositions of Plaintiffs’ preemption experts finished;
9. October 19, 2006 – Defendants’ Preemption Reply Brief served; and
10. November 9, 2006 at 9:00 am – Hearing and Argument on Preemption Motion to Dismiss.

**IT IS SO ORDERED.**

Dated: August 1, 2006

s/Donovan W. Frank  
DONOVAN W. FRANK  
Judge of United States District Court